

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Larry D Shaffer**  
**Carol S. Shaffer**  
Debtor(s)

Bankruptcy Case No.: 20-70128-JAD  
Issued per 9/24/20 proceeding  
Chapter: 13  
Docket No.: 36 – 10, 31  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated 3/12/20 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$2556 as of 10/20. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Roundpoint Mortgage [Cl #9] and ACAR Leasing [Cl #3] .
- ☒ H. Additional Terms: Attorney fees are based on a retainer of \$750

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

**(3.) IT IS FURTHER ORDERED THAT:**

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: October 1, 2020

Jeffery A. Deller  
United States Bankruptcy Judge

cc: All Parties in Interest to be served by Clerk in seven (7) days

In re:  
Larry D Shaffer  
Carol S. Shaffer  
Debtor(s)

Case No. 20-70128-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-7  
Date Rcvd: Oct 01, 2020

User: jfur  
Form ID: 149

Page 1 of 3  
Total Noticed: 37

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 03, 2020:

Recip ID	Recipient Name and Address
db/jdb	+ Larry D Shaffer, Carol S. Shaffer, 8016 Hyndman Road, Buffalo Mills, PA 15534-9104
15222184	+ ACAR Leasing LTD, d/b/a GM Financial Leasing, PO Box 183853, Arlington TX 76096-3853
15282701	+ ACAR Leasing LTD dba GM Financial Leasing, P.O Box 183853, Arlington, TX 76096-3853
15224379	+ BMW Financial Services Attn: Customer Accounting, 5550 Britton Parkway, Hilliard, OH 43026-7456
15214003	+ Cbna, Po Box 6497, Sioux Falls, SD 57117-6497
15242386	Citibank, N.A., 5800 S Corporate Pl, Sioux Falls, SD 57108-5027
15214004	+ Citicards Cbna, Po Box 6217, Sioux Falls, SD 57117-6217
15214005	+ Comenitybank/legndpine, Po Box 182789, Columbus, OH 43218-2789
15214008	+ First National Bank of Pennsylvania, 4140 E. State Street, Hermitage, PA 16148-3401
15214009	+ Fnb Omaha, P.o. Box 3412, Omaha, NE 68197-0001
15230793	+ JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, suite 100, Boca Raton, FL 33487-2853
15227755	++ PERI GARITE, ATTN CARD WORKS, 101 CROSSWAYS PARK DR W, WOODBURY NY 11797-2020 address filed with court:, First National Bank of Omaha, 1620 Dodge Street, Stop Code 3129, Omaha, Nebraska 68197
15232306	+ RoundPoint Mortgage Servicing Corporation, 446 Wrenplace Road, Fort Mill, SC 29715-0200
15214013	+ Roundpoint Mtg, 446 Wrenplace Road, Fort Mill, SC 29715-0200
15214014	+ Somerset Trust Company, 151 W Main St, Somerset, PA 15501-2068
15214018	+ Tractor Supply/cbna, Po Box 6497, Sioux Falls, SD 57117-6497

TOTAL: 16

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Oct 02 2020 03:54:14	BMW Bank of North America, c/o AIS Portfolio Servi, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Oct 02 2020 03:57:23	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15214001	Email/PDF: ais.bmw.ebn@americaninfosource.com	Oct 02 2020 03:54:15	Bmw Financial Services, Po Box 3608, Dublin, OH 43016
15214000	+ Email/Text: bknotices@bankofthewest.com	Oct 02 2020 04:22:22	Bank Of The West, 2527 Camino Ramon, San Ramon, CA 94583-4213
15230139	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 02 2020 03:54:12	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15214002	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Oct 02 2020 03:54:12	Capital One Bank, N.A., P.O. Box 71083, Charlotte, NC 28272-1083
15214006	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Oct 02 2020 04:21:00	Comenitycb/boscov, Po Box 182120, Columbus, OH 43218-2120
15217185	Email/Text: mrdiscen@discover.com	Oct 02 2020 04:21:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025

District/off: 0315-7

User: jfur

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15214007	+ Email/Text: mrdiscen@discover.com	Oct 02 2020 04:21:00	Discover Fin Svcs Llc, Pob 15316, Wilmington, DE 19850-5316
15214011	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Oct 02 2020 04:21:00	GM Financial, P.O. Box 183834, Arlington, TX 76096-3834
15214010	+ Email/Text: GMFINANCIAL@EBN.PHINSOLUTIONS.COM	Oct 02 2020 04:21:00	Gm Financial, Po Box 181145, Arlington, TX 76096-1145
15241704	Email/Text: JCAP_BNC_Notices@jcap.com	Oct 02 2020 04:22:00	Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud Mn 56302-9617
15214012	Email/PDF: ais.chase.ebn@americaninfosource.com	Oct 02 2020 03:57:22	Jpmcb Card, Po Box 15369, Wilmington, DE 19850
15240851	Email/PDF: resurgentbknofications@resurgent.com	Oct 02 2020 03:54:15	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15239963	Email/Text: bnc-quantum@quantum3group.com	Oct 02 2020 04:22:00	Quantum3 Group LLC as agent for, Comenity Bank, PO Box 788, Kirkland, WA 98083-0788
15239964	Email/Text: bnc-quantum@quantum3group.com	Oct 02 2020 04:22:00	Quantum3 Group LLC as agent for, Comenity Capital Bank, PO Box 788, Kirkland, WA 98083-0788
15214015	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:54:10	Syncb/amazon, Po Box 965015, Orlando, FL 32896-5015
15214016	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:54:09	Syncb/lowes, Po Box 956005, Orlando, FL 32896-0001
15214017	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:54:09	Syncb/score Rewards Dc, P.o. Box 965005, Orlando, FL 32896-5005
15243137	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:54:09	Synchrony Bank, c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk VA 23541-1021
15215036	+ Email/PDF: gecsed@recoverycorp.com	Oct 02 2020 03:54:10	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 21

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		BMW Bank of North America
cr		RoundPoint Mortgage Servicing Corporation
aty	*+	Somerset Trust Company, 151 W. Main Street, Somerset, PA 15501-2068
cr	*+	ACAR Leasing LTD dba GM Financial Leasing, PO Box 183853, Arlington, TX 76096-3853
jdb	*+	Carol S. Shaffer, 8016 Hyndman Road, Buffalo Mills, PA 15534-9104

TOTAL: 2 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

District/off: 0315-7

User: jfur

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Date Rcvd: Oct 01, 2020

Form ID: 149

Total Noticed: 37

Date: Oct 03, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 1, 2020 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor RoundPoint Mortgage Servicing Corporation bnicholas@kmlawgroup.com
David J. Novak	on behalf of Attorney Somerset Trust Company davidnov162@hotmail.com rfn@jjbodies.com
Kenneth P. Seitz	on behalf of Joint Debtor Carol S. Shaffer thedebterasers@aol.com
Kenneth P. Seitz	on behalf of Debtor Larry D Shaffer thedebterasers@aol.com
Laurence A. Mester	on behalf of Creditor BMW Bank of North America lmester@mesterschwartz.com jschwartz@mesterschwartz.com
Office of the United States Trustee	ustpreion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 7